



REPUBLICAN PARTY OF NEW MEXICO

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June 18, 1998

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JOHN DENDAHL

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Federal Election Commission
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Dear Sirs:

I write to request an immediate investigation into certain illegal activities alleged below.

Specifically, the Republican Party of New Mexico has reason to believe that corporations controlled by the Maloof family are (1) requiring corporate employees to participate in tomorrow's special election for United States Congress, and (2) expressly advocating the election of Democratic candidate Phil Maloof using corporate resources. These allegations are based upon a telephone call to the Wilson campaign. *See attached McNeil Affidavit.* The caller did not identify himself, fearing retribution by Maloof Industries.

Intimidation to secure voting on behalf of federal candidates clearly violates federal law and voters' basic civil rights. 42 U.S.C. § 1973i(b). New Mexico law similarly prohibits coercion of employees, which consists of

any officer or agent of any corporation, company or association, or any person having under his control or in his employment persons entitled to vote at any election, directly or indirectly discharging or threatening to discharge such employee because of the employee's political opinions or beliefs or because of such employee's intention to vote or refrain from voting for any candidate...

NMSA 1978, Section 1-20-13.

Likewise, federal election law prohibits corporate expenditures that advocate the election of specific federal candidates. 2 U.S.C. § 441b. And federal election regulations prohibit corporate get-out-the-vote expenditures combined with advocacy of specific candidates. 11 C.F.R. § 114.4(c)(3)(iv) (corporations "may not, in connection with any such distribution, expressly advocate the election or defeat of any clearly identified candidate(s))."

These allegations implicate serious potential violations of law and merit swift action and prompt investigation.

Sincerely,

John Dendahl
Chairman

Cc: Supporters of Phil Maloof Committee

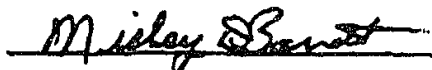
AFFIDAVIT OF KRIS McNEIL

1. My name is Kris McNeil. I am a volunteer for the Heather Wilson for Congress Committee.
2. In the course of volunteering I have answered telephone calls from the general public.
3. On June 18, 1998, at approximately 2:30pm, I received a call from a man who identified himself as a "manager at the Coors distributorship," which is owned by Maloof Industries.
4. This caller subsequently stated that the Maloof corporation was requiring all mid-level managers to take leaves of absence tomorrow - election day - so they could "shuffle people back and forth to polling places."
5. Additionally, this caller stated that Maloof Industries circulated a memorandum strongly encouraging workers to get-out-and-vote and leaving no doubt as to whom they were to cast their ballot.
6. The caller indicated that similar activities are occurring at the Quality Distributorship, also owned by Maloof Industries.
7. The caller stated that fellow-managers at the Coors Distributorship are "nervous" and declined to provide his name to me.

Upon penalty of perjury, I declare that this statement is true and accurate to the best of my knowledge.


Kris McNeil

Subscribed and sworn to before me
This 22nd day of June, 1998.



My commission expires: _____



SPECIAL SEAL
MICKEY D. BARNETT
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires October 14, 2001